



Ohio Legislative Service Commission

Final Analysis

Matthew Magner

Sub. H.B. 95

130th General Assembly
(As Passed by the General Assembly)

Reps. Hill, Huffman, J. Adams, Buchy, Beck, Becker, Blair, Boose, Brown, Conditt, Derickson, Gonzales, Hood, Ruhl, Sprague, Stebelton, Terhar, Milkovich, Wachtmann, Antonio, Bishoff, Carney, R. Adams, Amstutz, Anielski, Baker, Barborak, Barnes, Blessing, Brenner, Burkley, Butler, Celebrezze, Cera, Curtin, Damschroder, DeVitis, Dovilla, Driehaus, Fedor, Foley, Green, Grossman, Hackett, C. Hagan, Hall, Hayes, Heard, Henne, Hottinger, Landis, Lynch, Mallory, McClain, O'Brien, Patmon, Patterson, Phillips, Pillich, Ramos, Reece, Retherford, Rogers, Rosenberger, Scherer, Schuring, Sears, Slaby, Smith, Stautberg, Stinziano, Sykes, Thompson, Winburn, Young, Batchelder

Sens. Jordan, Gardner, Jones, Tavares, Faber, Balderson, Beagle, Burke, Coley, Eklund, Hite, Hughes, LaRose, Lehner, Manning, Obhof, Oelslager, Peterson, Schaffer, Uecker, Widener

Effective date: June 3, 2014

ACT SUMMARY

- Prohibits a certificate recognizing the delivery of a stillborn infant from including the word "stillborn" or "stillbirth" or any other words having the same or a similar meaning.
- Requires the Director of Health or the State Registrar to issue a new certificate, on receipt of a written request signed by a parent who was previously issued a certificate containing such a word.
- Provides that, when a burial permit is issued for a product of human conception of at least 20 weeks of gestation that suffers a fetal death, the local registrar must inform the parent or parents of the option to apply for a certificate that recognizes the delivery of a stillborn infant.
- Extends to certified nurse-midwives requirements regarding birth certificates that currently apply to physicians in attendance at birth.

CONTENT AND OPERATION

Certificates recognizing the delivery of a stillborn infant

Under continuing law, the Director of Health or the State Registrar in the Office of Vital Statistics must issue a certificate that recognizes the delivery of a stillborn infant on receiving an application signed by either parent. No fee is charged for the certificate. The certificate is not proof of a live birth for purposes of federal, state, and local taxes. The act prohibits the certificate from containing the word "stillborn" or "stillbirth" or any other words having the same or a similar meaning.

Reissuance of certificates previously issued

The act requires the Director or the State Registrar, on receipt of a written request signed by a parent who was previously issued a certificate recognizing the delivery of a stillborn infant that includes a word the act prohibits, to issue a certificate that does not include such a word.¹

Notification of option to apply for a certificate

Under the act, when a burial permit is issued for a product of human conception of at least 20 weeks of gestation that suffers a fetal death, the local registrar must inform the parent or parents listed on the fetal death certificate or provisional death certificate of the option to apply for a certificate that recognizes the delivery of a stillborn infant.²

Duties of certified nurse-midwives in attendance at birth

When a child is born in or en route to an institution (such as a hospital), continuing law requires the institution to prepare and file the birth certificate. The physician in attendance at the birth must (within 72 hours) provide the medical information required by the birth certificate and certify to the facts of the birth. The act extends the requirements that apply to physicians to certified nurse-midwives.³

If the birth occurs outside an institution, a physician in attendance at or immediately after the birth must prepare and file the birth certificate. The act extends that requirement to certified nurse-midwives.⁴

¹ R.C. 3705.23(B)(3)(b).

² R.C. 3705.20(D).

³ R.C. 3701.46, 3705.01, 3705.09(B), and 3705.15.

⁴ R.C. 3705.09(C).



HISTORY

ACTION	DATE
Introduced	03-06-13
Reported, H. Health and Aging	04-17-13
Passed House (95-0)	04-24-13
Reported, S. Medicaid, Health & Human Services	02-12-14
Passed Senate (32-0)	02-12-14
House concurred in Senate amendments (98-0)	02-19-14

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